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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

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CIVIL APPLICATION NO.1908 OF 2019

IN

WRIT PETITION NO.8834 OF 2019

Daryus S. Panthakey

...Applicant

V/s.

Ketan M. Desai

...Respondent

Mr.Vishal Thaker with Ms.Anjali Trivedi i/b V. Thakers'
Advocates for the Petitioner.

Ms.Uma Acharya i/b Jayakar Partners for Respondent No.1.

CORAM : RAJESH S. PATIL, J.

DATE : 30TH APRIL, 2024.

P.C. :-

1. Mr.Thaker appearing for the applicant / Petitioner
seeks leave to withdraw this Civil Application, as the same is
misconceived.

2. The Civil Application is accordingly disposed of.

WITH

WRIT PETITION NO.8834 OF 2019

Daryus S. Panthakey

...Petitioner

V/s.

Ketan M. Desai

...Respondent

1. This Writ Petition is filed by the landlord, challenging the concurrent findings recorded by the Trial Court and the Appellate Bench of the Court of Small Causes, Mumbai.

2. The Trial Court has held that the Plaintiff is not able to prove the ground of “eviction”, “change of user”, “permanent additions and alterations” and “annoyance and nuisance”.

3. Admit.

4. Soft copy of the R. & P. be sent by the Small Causes Court to the High Court within four weeks from today. Original R. & P. should be preserved by the Small Causes Court till further orders by this Court. Original R. & P. to be sent to the High Court when called for.

5. Mr.Thaker submits that one of the party is senior citizen. Hearing of the Writ Petition is expedited.

6. The Petitioner to file a compilation of documents, short synopsis along with their preposition of law and authorities

relied upon by them within four weeks from today.

(RAJESH S. PATIL, J.)